

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ETC SUNOCO HOLDINGS LLC)	
(formerly known as SUNOCO, INC.),)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:20-cv-2981
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

**PLAINTIFF’S RESPONSE TO DEFENDANT’S
MOTION FOR SUMMARY JUDGMENT**

Plaintiff ETC Sunoco Holdings LLC (“Sunoco”) files this Response to Defendants’ Motion for Summary Judgment. For the reasons stated in Sunoco’s brief, Sunoco respectfully requests that the Court deny the motion for summary judgment requesting this Court to apply collateral estoppel filed by Defendant, United States of America.

In accordance with Local Rule 56.4(b), all of the required matters in Local Rule 56.4(a) will be set forth in Sunoco’s brief filed herewith. Sunoco’s Response is supported by an Appendix pursuant to Local Rule 56.6.

Dated: July 6, 2021

Respectfully submitted,

/s/ Vivek A. Patel

Vivek A. Patel

D.C. Bar No. 1033178, *Pro hac vice*

Vivek.Patel@bakermckenzie.com

George M. Clarke III

D.C. Bar No. 480073, *Pro hac vice*

George.Clarke@bakermckenzie.com

BAKER & MCKENZIE LLP

815 Connecticut Avenue NW

Washington, DC 20006

(202) 835-6184

Robert H. Albaral

Texas Bar No. 00969175

Robert.Albaral@bakermckenzie.com

BAKER & MCKENZIE LLP

1900 North Pearl Street

Dallas, TX 75201

(214) 978-3044

**ATTORNEYS FOR PLAINTIFF
ETC SUNOCO HOLDINGS LLC
(f/k/a SUNOCO, INC.)**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served upon all counsel of record upon its filing via this Court's CM/ECF electronic case filing system on July 6, 2021.

/s/ Vivek A. Patel
Vivek A. Patel